

# VIDEOTAPE DEPOSITION OF JOSEPH W. HANDRICK 12/20/2011

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

ALVIN BALDUS, CINDY BARBERA,  
CARLENE BECHEN, RONALD BIENDSEIL,  
RON BOONE, VERA BOONE, ELVIRA BUMPUS,  
EVANJELINA CLEEREMAN, SHEILA COCHRAN,  
LESLIE W. DAVIS III, BRETT ECKSTEIN,  
MAXINE HOUGH, CLARENCE JOHNSON,  
RICHARD KRESBACH, RICHARD LANGE,  
GLADYS MANZANET, ROCHELLE MOORE,  
AMY RISSEUW, JUDY ROBSON, GLORIA ROGERS,  
JEANNE SANCHEZ-BELL, CECELIA SCHLIEPP,  
and TRAVIS THYSSEN,

Plaintiffs,

TAMMY BALDWIN, GWENDOLYNNE MOORE,  
and RONALD KIND,

Intervenor-Plaintiffs,

v.

File No. 11-CV-562

Members of the Wisconsin Government  
Accountability Board, each only in  
his official capacity:  
MICHAEL BRENNAN, DAVID DEININGER,  
GERALD NICHOL, THOMAS CANE,  
THOMAS BARLAND, and TIMOTHY VOCKE,

[Caption Continued]

## VIDEOTAPE DEPOSITION

JOSEPH W. HANDRICK

Madison, Wisconsin  
December 20, 2011

Carmen Harder, RPR  
Registered Professional Reporter

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and KEVIN KENNEDY, Director and  
General Counsel for the Wisconsin  
Government Accountability Board,

Defendants,

F. JAMES SENSENBRENNER, JR.,  
THOMAS E. PETRI, PAUL D. RYAN, JR.,  
REID J. RIBBLE, and SEAN P. DUFFY,

Intervenor-Defendants.

VOCES DE LA FRONTERA, INC.,  
RAMIRO VARA, OLGA VARA,  
JOSE PEREZ, and ERICA RAMIREZ,

Plaintiffs,

v.

Case No. 11-CV-1011  
JPS-DPW-RMD

Members of the Wisconsin Government  
Accountability Board, each only in  
his official capacity:  
MICHAEL BRENNAN, DAVID DEININGER,  
GERALD NICHOL, THOMAS CANE,  
THOMAS BARLAND, and TIMOTHY VOCKE,  
and KEVIN KENNEDY, Director and  
General Counsel for the Wisconsin  
Government Accountability Board,

Defendants.

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# VIDEOTAPE DEPOSITION OF JOSEPH W. HANDRICK 12/20/2011

EXHIBIT 1 to Declaration of Joseph Louis Olson

<u>E X H I B I T S</u> (Continued)		
<u>No.</u>	<u>Description</u>	<u>Identified</u>
21	Map entitled 2011 Act 44	232
22	Map entitled 2011 Act 43	232
(The original Exhibits 1-22 were attached to the original transcript, and copies of Exhibits 1-19 were provided to counsel)		
(The original deposition transcript was filed with Attorney Douglas M. Poland)		
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VIDEOTAPE DEPOSITION of JOSEPH W. HANDRICK, a witness of lawful age, taken on behalf of the Plaintiffs, wherein Alvin Baldus, et al., are Plaintiffs, and Members of the Wisconsin Government Accountability Board, et al., are Defendants, pending in the United States District Court for the Eastern District of Wisconsin, pursuant to subpoena, before Carmen Harder, a Registered Professional Reporter and Notary Public in and for the State of Wisconsin, at the offices of Godfrey & Kahn, S.C., Attorneys at Law, One East Main Street, in the City of Madison, County of Dane, and State of Wisconsin, on the 20th day of December 2011, commencing at 9:26 in the forenoon.

A P P E A R A N C E S

DOUGLAS M. POLAND, Attorney, for GODFREY & KAHN, S.C., Attorneys at Law, One East Main Street, Suite 500, Madison, Wisconsin 53703, appearing on behalf of Plaintiffs Alvin Baldus, et al.

PETER G. EARLE, Attorney, for LAW OFFICE OF PETER EARLE, LLC, Attorneys at Law, 839 North Jefferson Street, Suite 300, Milwaukee, Wisconsin 53202, appearing by telephone on behalf of Plaintiffs Voces De La Frontera, Inc., et al.

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A P P E A R A N C E S (Continued)

P. SCOTT HASSETT and JAMES A. OLSON, Attorneys, for LAWTON & CATES, S.C., Attorneys at Law, Ten East Doty Street, Suite 400, Madison, Wisconsin 53703, appearing on behalf of the Intervenor-Plaintiffs.

MARIA S. LAZAR, Assistant Attorney General, for STATE OF WISCONSIN DEPARTMENT OF JUSTICE, 17 West Main Street, Madison, Wisconsin 53703, appearing on behalf of the Defendants.

DANIEL KELLY, Attorney, for REINHART BOERNER VAN DEUREN S.C., Attorneys at Law, 1000 North Water Street, Suite 2100, Milwaukee, Wisconsin 53202, appearing on behalf of the Defendants.

KELLEN C. KASPER, Attorney, for FOLEY & LARDNER, LLP, Attorneys at Law, 777 East Wisconsin Avenue, Milwaukee, Wisconsin 53202, appearing on behalf of the Intervenor-Defendants.

ERIC M. MCLEOD, Attorney, for MICHAEL BEST & FRIEDRICH LLP, Attorneys at Law, One South Pinckney Street, Suite 700, Madison, Wisconsin 53703, appearing on behalf of the Wisconsin State Senate by its Majority Leader Scott Fitzgerald, the Wisconsin Assembly by its Speaker Jeff Fitzgerald, and Joseph W. Handrick.

Also present: Todd S. Campbell, CLVS  
Campbell Legal Video Company  
417 Heather Lane, Suite B  
Fredonia, WI 53021  
(262) 447-2199

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JOSEPH W. HANDRICK,

called as a witness, being first duly sworn, testified on oath as follows:

EXAMINATION

By Mr. Poland:

**Q** Good morning, Mr. Handrick.

MR. KELLY: I'm sorry. Before we start, could we put the --

MR. POLAND: Oh, that's right.

MR. KELLY: -- agreement on the record?

MR. POLAND: Yep. Go ahead.

MR. KELLY: Thank you. This is Daniel Kelly on behalf of the defendants, as well as Maria Lazar. Prior to going on the record we had a discussion amongst counsel with respect to interposing objections. We agreed that if one person made an objection to a question it would stand as an objection for each of the attorneys on behalf of their clients without the need to have each attorney repeating the objection.

Counsel, is that your understanding?

MR. HASSETT: Yes.

8

1 A This portion of this document (indicating).  
 2 Q Okay. And so you're referring there to -- there's  
 3 a stapled collection of invoices; is that correct?  
 4 My copy is stapled. Yours is paper clipped.  
 5 A Yes.  
 6 Q All right. And that begins with an invoice dated  
 7 March 23; that's the first page?  
 8 A Yes.  
 9 Q And if you flip to the very back page of that, it  
 10 says at the top invoice -- that's an invoice dated  
 11 August 31, 2011, last page of it?  
 12 A Yes.  
 13 Q All right. And so that of Exhibit 2, that  
 14 collection of invoices, that's the only part of  
 15 Exhibit 2 that you haven't seen before; is that  
 16 correct?  
 17 A That is correct.  
 18 Q All right. Great. Of the other -- of the other  
 19 materials contained within Exhibit 2, there is a  
 20 letter dated February 18, and that has attached to  
 21 it a copy of a letter dated February 17 and a  
 22 letter dated February 15 and then a memorandum at  
 23 the very back?  
 24 A Yes.  
 25 Q Okay. And that's a document you have seen before,

21

1 correct?  
 2 A Yes.  
 3 Q All right. Then of the other documents that are  
 4 contained within Exhibit No. 2, there is two pages  
 5 of handwritten notes. You've seen that document  
 6 before?  
 7 A Yes.  
 8 Q Whose notes are those?  
 9 A Those are my notes.  
 10 Q Okay. Did you retain a copy of these notes in  
 11 your own files?  
 12 A No.  
 13 Q Do you know when you made these notes?  
 14 A No.  
 15 Q Do you know where this copy of the notes came  
 16 from?  
 17 A No.  
 18 Q You can set those to the side for just a moment.  
 19 There's another document then that has some  
 20 numbers on it, some red printing, and it says  
 21 "Districts that have been cleaned up through  
 22 Thursday are." Do you see that document?  
 23 A Yes.  
 24 Q And that's two pages, correct, or are those two  
 25 separate pages?

22

1 A They are two separate pages.  
 2 Q All right. Does it appear to be the same?  
 3 A No.  
 4 Q It does not appear to be the same. Okay. What  
 5 are the differences?  
 6 A In one of the two documents the number 91 is in  
 7 red.  
 8 Q Okay. Did you create this, these two pages?  
 9 A Yes.  
 10 Q When did you create them?  
 11 A I don't recall.  
 12 Q Do you recall what you used to create these with?  
 13 Was it in terms of, like, a software package or a  
 14 specific program or application?  
 15 A I don't recall specifically.  
 16 Q Were they created within the 2011 calendar year?  
 17 A Yes.  
 18 Q All right. And so they were created as part of  
 19 your work in the legislative redistricting?  
 20 A Yes.  
 21 Q Did you retain a copy of these two pages in your  
 22 own materials?  
 23 A No.  
 24 Q Do you know who -- whose copy this is that was  
 25 produced here this morning?

23

1 A No, I do not.  
 2 Q All right. And then the portion of Exhibit 2 that  
 3 actually has the exhibit sticker on it, at the  
 4 very top it says *Census Geography Splits*. Do you  
 5 see that? Can you tell me what this document is.  
 6 A This is a report for a map that indicates counties  
 7 and municipalities that have been divided between  
 8 one or more legislative districts.  
 9 Q Did you create the report, this particular report?  
 10 A No.  
 11 Q Do you know who did create it?  
 12 A No.  
 13 Q At the bottom of the first page of this document,  
 14 the *Census Geography Splits* document, do you see  
 15 it has an icon in the lower left corner that says  
 16 autoBound?  
 17 A Yes.  
 18 Q Can you tell me what autoBound is.  
 19 A AutoBound is a software that is used in the  
 20 redistricting process.  
 21 Q Have you used autoBound before?  
 22 A Yes.  
 23 Q Are you trained on autoBound, or have you received  
 24 training on autoBound?  
 25 A No.

24

1 area?  
2 A The city of Port Washington.  
3 Q So two residences, one in Port Washington and then  
4 one in Minocqua?  
5 A Yes.  
6 Q And you work out of both the Reinhart office in  
7 Madison and in Milwaukee?  
8 A Yes.  
9 Q Do you maintain files relating to your  
10 redistricting work in both Reinhart's Madison  
11 office and the Milwaukee office?  
12 A No.  
13 Q All right. Do you have them only in one office?  
14 A I do not retain files related to redistricting.  
15 Q Why don't you retain files related to  
16 redistricting?  
17 A Reinhart was retained by Michael Best & Friedrich  
18 to assist them, so I did not retain files on the  
19 matter.  
20 Q Okay. Did somebody tell you not to retain files?  
21 A Yes.  
22 Q Okay. Who told you not to retain files?  
23 MR. MCLEOD: I'm going to assert  
24 the same objection to the extent it calls for  
25 attorney-client privileged information,  
29

1 attorney work product.  
2 Q Okay. You can answer the question.  
3 A Can you please restate the question?  
4 MR. POLAND: Sure. Can you read it  
5 back?  
6 (Question read)  
7 A As someone who's assisting legal counsel, I was  
8 requested by legal counsel to not remove any files  
9 from their offices.  
10 Q So everything that you looked at was at  
11 Michael Best & Friedrich; is that correct?  
12 A Yes.  
13 Q All right. You didn't take anything off of the  
14 premises of Michael Best & Friedrich relating to  
15 redistricting?  
16 A That is not correct.  
17 Q Okay. What did you take off the premises of  
18 Michael Best & Friedrich that relates to  
19 redistricting?  
20 A This document (indicating).  
21 MR. KELLY: I'll object to the  
22 extent the question calls for a response with  
23 respect to any work that he's done on  
24 November 22 or subsequent thereto as being  
25 covered by the attorney-client privilege and  
30

1 work product doctrine and to the extent the  
2 question requires you to answer with respect  
3 to that topic. And I instruct you not to  
4 answer.  
5 If you can answer the question without  
6 discussing anything that occurred on  
7 November 22 or after, then you may.  
8 Q Okay. Let's talk first about before November 22.  
9 Okay. What did you take off the premises of  
10 Michael Best & Friedrich that related to  
11 redistricting?  
12 A This document (indicating).  
13 Q Okay. So -- and by *this document*, you mean  
14 Exhibit -- what's been marked as Exhibit 2A?  
15 A Yes.  
16 Q All right. And that's the, that's the only piece  
17 of paper or other file that you took off the  
18 premises of Michael Best & Friedrich that relates  
19 to redistricting; is that correct?  
20 A Yes.  
21 Q All right. I actually need to go back because I  
22 did forget to ask you about one other item that  
23 you brought with you today. And that's been  
24 marked as deposition Exhibit 3. It is a -- it's  
25 either a CD or a DVD for the record here that has  
31

1 a label *Joe Handrick, Draft Maps - Block*  
2 *Assignment Files*. I'm going to hand a copy of  
3 that to you and ask you have you seen Exhibit 3  
4 before?  
5 A Yes.  
6 Q And what is Exhibit 3?  
7 A My understanding is this is a disk containing maps  
8 upon which I worked.  
9 Q Okay. And the work that you did, that was work  
10 that would have been performed at Michael Best &  
11 Friedrich's offices as well?  
12 A Yes.  
13 Q And that was at the Michael Best offices in  
14 Milwaukee, is that correct, or in Madison?  
15 A Michael Best offices in Madison.  
16 Q In Madison. Did you -- did you ever perform any  
17 work on the maps in Michael Best's Milwaukee  
18 office?  
19 A No.  
20 Q All right. So all of the work that you performed  
21 on redistricting in 2011 was performed in  
22 Michael Best's offices in Madison; is that  
23 correct?  
24 A Yes.  
25 Q Who was present during the time that -- at  
32

1 MR. MCLEOD: I'm also going to  
2 restate the objections raised previously  
3 concerning vagueness and relatedly the  
4 failure to describe any time period, which is  
5 a problem with the form of the question.  
6 Subject to that you can answer.  
7 A I can't recall.  
8 Q Are -- your counsel had instructed you not to  
9 answer to the extent it was going to reveal  
10 attorney-client privileged information. Are you  
11 following your counsel's instruction not to answer  
12 the question with respect to privileged  
13 information?  
14 A No. I can't recall the answer to your question.  
15 Q Okay. You don't recall anyone who was present at  
16 any time during -- between February 15, 2011 and  
17 November 22, 2011 when you were working on  
18 redistricting matters at Michael Best & Friedrich?  
19 A Certainly I do.  
20 Q Okay. Who was present?  
21 MR. MCLEOD: I'm going to assert  
22 the same objections as I did before.  
23 A At all times?  
24 Q Not at all times. Just identify for me as many  
25 people as you can remember who were present, and

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1 we'll go through them, and we'll take them one by  
2 one.  
3 A Tad Ottman, Adam Foltz, Jim Troupis, Eric McLeod,  
4 Ray Taffora, legislative leadership.  
5 Q Okay. And who among the legislative leadership  
6 was present?  
7 A Speaker Jeff Fitzgerald, Majority Leader  
8 Scott Fitzgerald.  
9 Q During that entire time period, February 15, 2011  
10 to November 22, 2011, while you were at  
11 Michael Best & Friedrich, were there any other  
12 people who were present with you at that time  
13 other than the people you've just mentioned?  
14 A Yes.  
15 Q Who else was present?  
16 A Sarah Troupis, Robin Vos, Rich Zipperer,  
17 Keith Gaddie.  
18 Q Okay. Anyone else that you can remember being  
19 present?  
20 A I can't recall anyone else.  
21 Q All right. So let's go back through and identify  
22 each of these people. You mentioned Tad Ottman.  
23 Who is Mr. Ottman?  
24 A Mr. Ottman is an employee of the state  
25 legislature.

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1 Q Do you know who specifically he works for?  
2 A My understanding is he works for the  
3 Senator Scott Fitzgerald.  
4 Q Why was he present during the time that you were  
5 working on legislative redistricting at  
6 Michael Best & Friedrich?  
7 MR. MCLEOD: I'm going to object --  
8 I'm sorry. I'm going to object to the form  
9 of the question. I think it's vague and  
10 ambiguous.  
11 Q You can answer.  
12 MR. MCLEOD: To the extent you  
13 understand the question, you can answer.  
14 A Please repeat the question.  
15 Q Sure.  
16 (Question read)  
17 A He's an assistant to Senator Scott Fitzgerald.  
18 Q And what did Mr. Ottman do while he was with you  
19 at Michael Best & Friedrich working on legislative  
20 redistricting?  
21 MR. MCLEOD: I'm going to object to  
22 the form of the question. I think it's vague  
23 and ambiguous.  
24 Q You can answer.  
25 A Can you please repeat the question?

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1 (Question read)  
2 A He worked on behalf of his employer.  
3 Q What did you observe him doing?  
4 A He would -- he would develop -- he would develop  
5 maps at the direction of -- actually, I don't know  
6 whose direction. He would develop maps.  
7 Q Okay. How many times did you see him at  
8 Michael Best & Friedrich when you were there?  
9 A Oh, I don't know.  
10 Q Can you give me a ballpark?  
11 A Dozens.  
12 Q You were both present at Michael Best together  
13 working on legislative redistricting dozens of  
14 times; is that correct?  
15 A Yes.  
16 Q What was he physically doing when he was -- when  
17 you saw him developing maps?  
18 MR. MCLEOD: Object to the form of  
19 the question. I think it's vague and  
20 ambiguous.  
21 A I did not observe him or monitor him as he, as he  
22 drew maps.  
23 Q You didn't see him drawing any maps at all?  
24 A I'm sorry?  
25 Q If you answered the question, I didn't hear it.

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1 pre-publication version and ask if these things  
 2 were correct?  
 3 A Not that I recall.  
 4 Q Okay. Well, let's turn to -- look at a couple of  
 5 pages here. Do you recall generally that  
 6 Mr. Gaddie in his book addressed the legislative  
 7 redistricting work that you did in the 1990, 1991,  
 8 '92 time frame?  
 9 A I recall that, yes.  
 10 Q Okay. Did you give interviews with him where you  
 11 discussed that?  
 12 A My recollection is yes.  
 13 Q And also same question with respect to the 2001,  
 14 2002 legislative redistricting. Is that a topic  
 15 that you and Mr. Gaddie discussed?  
 16 A Yes.  
 17 MR. POLAND: Oops. Can you still  
 18 hear me okay? The microphone just slipped  
 19 there.  
 20 So I'd like you to -- I'm sorry? You  
 21 know what, why don't we take a five-minute  
 22 break. We'll fix the microphone issues.  
 23 (Recess)  
 24 Q Mr. Handrick, just before we broke we were taking  
 25 a look at Exhibit No. 9, which is

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1 Professor Gaddie's book. Do you recall that  
 2 discussion?  
 3 A Yes.  
 4 Q All right. I'd like to turn your attention to  
 5 page 54. So this is in the heading at the top.  
 6 And I'd like you to look at the last full  
 7 paragraph on page 54 that's on the left-hand side  
 8 of the page. I'd like to draw your attention  
 9 about halfway down that page. There's a sentence  
 10 there, and I'm just going to read it here.  
 11 It says -- a couple of sentences actually.  
 12 It says "Handrick was not initially a principal in  
 13 the crafting of maps, but, when exposed to the  
 14 technology and asked to participate, his spatial  
 15 analytic abilities became evident to Republican  
 16 mapmakers."  
 17 Do you see that --  
 18 A Yes.  
 19 Q -- language? All right.  
 20 And that's referring to the early 1990s,  
 21 correct?  
 22 A Yes.  
 23 Q All right. And Mr. -- or Professor Gaddie  
 24 continues on, and this appears to be a quote that  
 25 Professor Gaddie is attributing to you. And the

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1 quote is as follows: "When they sat me down at  
 2 the terminal, I just had a knack for being able to  
 3 see how to craft the kind of districts they  
 4 wanted, with the right political skew and in a  
 5 fashion that would be attractive to a court."  
 6 Do you see that quotation?  
 7 A Yes.  
 8 Q And is that a correct quotation?  
 9 A I wouldn't be able to recall that far back, but I  
 10 presume it is.  
 11 Q Okay. Turning to the top of page 55, do you see  
 12 Professor Gaddie's statement that says "Joe would  
 13 ultimately craft the legislative map" proposed --  
 14 strike that. Let me reread that because I was  
 15 reading it wrong:  
 16 "Joe would ultimately craft the legislative  
 17 map proposal Republicans forwarded to the federal  
 18 courts."  
 19 Do you see that statement?  
 20 A Yes.  
 21 Q And again that relates to the 1991-1992  
 22 redistricting, correct?  
 23 A Yes.  
 24 Q And Professor Gaddie's statement there is a  
 25 correct statement?

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1 A Yes.  
 2 Q All right. Now -- so you've been involved,  
 3 according to Professor Gaddie's book, you've been  
 4 involved with drawing legislative districts for  
 5 republicans in Wisconsin since the early 1990s,  
 6 correct?  
 7 A Yes.  
 8 Q Almost 20 years. All right. I'd like to draw  
 9 your attention to page 68 -- actually, back up a  
 10 second. Take you to page 67. All right.  
 11 Actually, back up one more. 66, other side of the  
 12 page.  
 13 A Okay.  
 14 Q All right. There is a reference -- about halfway  
 15 down there's a heading that says  
 16 *Postlegislative Career*. Do you see that?  
 17 A Yes.  
 18 Q And the second full paragraph begins with a  
 19 statement "Handrick was a master of electoral  
 20 analysis. He knew where to find information and  
 21 how to glean useable knowledge from numbers that  
 22 is implicit and based on understanding the  
 23 totality of issues and messages associated with  
 24 particular candidates and their circumstances."  
 25 Do you see that language?

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1 A Yes.  
 2 Q Were you told what you were being retained to do?  
 3 A Yes.  
 4 Q Okay. What were you told you were being retained  
 5 to do?  
 6 A To provide assistance to legal counsel as they  
 7 provided advice on the preparation of  
 8 redistricting maps following the 2010 census.  
 9 Q Was there anything more specific that you were  
 10 told they were going to want you to do?  
 11 A Yes.  
 12 Q And what were you told that was more specific they  
 13 wanted you to do?  
 14 A In legal counsel's role of providing advice and  
 15 counsel to the legislature on adoption of a -- or  
 16 development of a redistricting map following the  
 17 2010 census, they would give, give constitutional  
 18 and other legal advice regarding redistricting.  
 19 And they tasked me with helping translate that  
 20 legal advice into tangible work products or assist  
 21 them in the creation of tangible work products for  
 22 their clients.  
 23 Q And so physically they wanted to use the mapping  
 24 skills that you had used in 2002 and 1991  
 25 redistricting, correct?

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1 A I think that's a fair assessment.  
 2 Q And also data analysis skills?  
 3 A No.  
 4 Q Now, did you do any data analysis for the purpose  
 5 of redistricting in 2011?  
 6 A Not that I recall.  
 7 Q Now, the engagement -- and we looked again at the  
 8 letters. And we can look at -- let's take a look  
 9 at Exhibit No. -- Exhibit No. 6 is probably the  
 10 best one to look at. It's in front of you.  
 11 If you look at the -- there's a fee schedule  
 12 that's referred to in there. Do you see that?  
 13 A Yes.  
 14 Q And there are fees that Reinhart is charging of  
 15 \$5,000 per month, correct?  
 16 A Correct.  
 17 Q That began on February 15, 2011, correct?  
 18 A Yes.  
 19 Q And ends on May 15, 2012; is that right?  
 20 A Yes.  
 21 Q All right. Is that a flat rate; do you know?  
 22 A As far as I know, yes.  
 23 Q Reinhart is paid the \$5,000 per month regardless  
 24 of whether there's any work done in that  
 25 particular month or not?

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1 A That's my understanding.  
 2 Q Did you prepare any of the invoices that Reinhart  
 3 sends to Michael Best & Friedrich?  
 4 A No.  
 5 Q As a matter of fact, you mentioned, when we looked  
 6 at it before, you looked at the invoices as part  
 7 of Exhibit 1, and you said those were documents  
 8 you hadn't seen before; is that correct?  
 9 A That is correct.  
 10 MS. LAZAR: Clarification. That  
 11 was Exhibit 2.  
 12 MR. POLAND: It's Exhibit 2.  
 13 Thank you for the correction, Maria.  
 14 Exhibit 2.  
 15 Q Do you enter your time at all when you're doing  
 16 work on the redistricting matter?  
 17 A Yes.  
 18 MR. KELLY: Objection as to time  
 19 frame.  
 20 Q Beginning with your engagement in February of  
 21 2011.  
 22 MR. KELLY: And would that be  
 23 ending prior to November 22?  
 24 Q Sure. Let's take it up through November -- before  
 25 November 22. Do you enter time into a system that

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1 Reinhart has?  
 2 A Yes.  
 3 Q Okay. And are those time entries reflected in the  
 4 invoices that are transmitted to Michael Best &  
 5 Friedrich?  
 6 A I do not know.  
 7 Q If we take a look at -- this is the portion of  
 8 Exhibit No. 2 that has the invoices. Here, we can  
 9 have you -- let me hand that to you. So this is  
 10 the portion of Exhibit No. 2 that has the  
 11 invoices. And, again, these are invoices. You  
 12 have not seen these before, correct?  
 13 A That is correct.  
 14 Q These do not reflect any of your time entries,  
 15 correct?  
 16 A That is correct.  
 17 Q And all of these invoices predate November 22,  
 18 2011, correct?  
 19 A That is correct.  
 20 Q Do you know which entity writes the check, cuts  
 21 the check to Reinhart?  
 22 A I do not.  
 23 Q And you're not paid for your redistricting work  
 24 outside of the bills that Reinhart sends, correct?  
 25 A That is correct.

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1 objection. To the extent you can answer,  
2 please do so.  
3 A Yes, I reviewed the 2010 decennial census and  
4 assisted the legal counsel and the remainder of  
5 that paragraph.  
6 Q Okay. Turning to paragraph No. 11. Did you in  
7 fact review census and population data from the  
8 2010 decennial census to insure minimum population  
9 deviation for new districts?  
10 A Yes.  
11 Q Okay. In paragraph 12, did you in fact as part of  
12 your, as part of your redistricting work review  
13 population and other data so as to preserve, to  
14 the extent possible and practicable, the core  
15 population of prior districts as well as  
16 communities of interest?  
17 MR. MCLEOD: I'm going to assert  
18 the same objection as to the form. It's  
19 vague and ambiguous. To the extent you  
20 understand the question and can answer it,  
21 please do so.  
22 A Yes.  
23 Q Paragraph No. 13 then. Did you assist the  
24 legislature in insuring that the new redistricting  
25 maps, to the extent possible, kept wards and  
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1 municipalities whole within legislative boundaries  
2 and to the extent possible recognize local  
3 government boundaries?  
4 A Yes.  
5 Q All right. Did you ever discuss with anyone  
6 testifying at trial about that work that you did?  
7 MR. KELLY: Objection based on the  
8 attorney-client privilege and work product  
9 doctrine. I instruct the witness not to  
10 answer.  
11 Additionally, to the extent that I've  
12 interposed an attorney-client privilege  
13 objection to any of the other responses based  
14 on Exhibit 10, that also incorporates an  
15 objection based on the work product doctrine.  
16 Q Counsel hasn't instructed you not to answer.  
17 MR. KELLY: I have.  
18 MS. LAZAR: He did.  
19 MR. POLAND: You did. Okay.  
20 Q Are you going to follow counsel's instruction not  
21 to answer?  
22 A Yes.  
23 Q Let's turn to page 14. Did you assist legislature  
24 to insure that if voters were shifted from odd to  
25 even senate districts they were not unnecessarily  
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1 disenfranchised by being deprived of the  
2 opportunity to vote?  
3 A No.  
4 Q Anybody ever talk to you about potentially  
5 testifying at trial on that issue?  
6 MR. KELLY: Objection based on the  
7 attorney-client privilege and work product  
8 doctrine. And I instruct the witness not to  
9 answer.  
10 Q And will you follow counsel's instruction not to  
11 answer?  
12 A Yes.  
13 Q Paragraph No. 15. Did you review the 2010  
14 decennial census data and the previous districting  
15 maps to insure that the new districts were as  
16 geographically compact as practicable?  
17 A No.  
18 Q Did you ever talk with anyone about testifying at  
19 trial on that topic?  
20 MR. KELLY: Objection based on the  
21 attorney-client privilege and work product  
22 doctrine. And I instruct the witness not to  
23 answer.  
24 Q And are you going to follow counsel's instruction  
25 to not answer the question?  
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1 A Yes.  
2 Q Turning back quickly here to paragraph 14. You  
3 mentioned -- you said you did not provide that  
4 assistance. Do you know anyone who did?  
5 A No.  
6 Q Same question for No. 15. Do you know anyone who  
7 did review the decennial census data in previous  
8 districting maps to insure the new districts were  
9 geographically compact as practicable?  
10 A Yes.  
11 Q Who did?  
12 A I don't know, but I am aware that there was --  
13 there have -- there was a report produced on  
14 compactness.  
15 Q Do you know who produced that report?  
16 A No.  
17 Q Do you know when you saw it?  
18 A No.  
19 Q Would it have been sometime before the legislation  
20 was passed?  
21 A Possibly.  
22 Q Were you at Michael Best & Friedrich when you saw  
23 that report on compactness?  
24 A Yes.  
25 Q Was it in paper copy?  
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1 instruct the witness not to answer. However,  
 2 you may answer with respect to any  
 3 conversations you had that were either not  
 4 with counsel for the defendants or not at  
 5 counsel's direction.  
 6 Q Did you have any conversations, non-privileged  
 7 conversations since November 22?  
 8 A Not that I can recall.  
 9 Q And with respect to any conversations that counsel  
 10 has objected to, are you going to follow counsel's  
 11 instructions not to answer the question?  
 12 A Yes.  
 13 Q Do you have an opinion on the appropriate  
 14 boundaries for the pending or potential recall  
 15 elections?  
 16 MR. KELLY: Objection, form. You  
 17 may answer if you can.  
 18 A Yes.  
 19 Q Okay. And what is that opinion?  
 20 MR. KELLY: Objection, form, but  
 21 you may answer if you can.  
 22 A Please restate the underlying question.  
 23 MR. POLAND: Sure. Can you read  
 24 back the question?  
 25 (Question read)

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1 A I answered that yes.  
 2 Q Yes.  
 3 A And then --  
 4 Q And then I asked *What are those opinions?*  
 5 A What are those opinions? My opinion is I'm just  
 6 greatly confused how the plaintiffs can charge  
 7 that the map is unconstitutional and then how any  
 8 elections can be held under that map.  
 9 Q Okay. And what's the basis for that opinion?  
 10 A Purely personal.  
 11 Q Have you discussed that issue with anyone?  
 12 MR. KELLY: Objection. Would you  
 13 care to narrow the scope of the question?  
 14 Q Is that an opinion that you held before  
 15 November 22, 2011?  
 16 A Yes.  
 17 Q Okay. Did you discuss that opinion that you hold  
 18 with anyone before that time?  
 19 A Yes.  
 20 Q All right. Who did you discuss that with?  
 21 A My wife.  
 22 Q Okay. Anyone else?  
 23 A Not that I, not that I recall specifically.  
 24 Q Okay. And then after November 22, 2011, have you  
 25 discussed that opinion that you hold with anyone

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1 since that time?  
 2 MR. KELLY: Objection to the extent  
 3 the question calls for information protected  
 4 by the attorney-client privilege or the work  
 5 product doctrine. I instruct the witness not  
 6 to answer to the extent that it does.  
 7 However, to the extent that you had  
 8 conversations that were not with counsel for  
 9 the defendants or at the instruction of  
 10 counsel, then you may answer.  
 11 A None that I recall.  
 12 Q And then as far as any privileged conversations or  
 13 any conversations you might have had that counsel  
 14 has asserted a privilege over, are you going to  
 15 follow counsel's instructions and not answer the  
 16 question?  
 17 A Yes.  
 18 Q You mentioned before when we were talking about  
 19 people who were present when you were working at  
 20 Michael Best & Friedrich a number of lawyers,  
 21 correct?  
 22 A Yes.  
 23 Q All right. And so you mentioned Mr. McLeod was  
 24 present, correct?  
 25 A Occasionally.

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1 Q Occasionally. And Mr. Taffora was present  
 2 occasionally?  
 3 A Occasionally.  
 4 Q All right. Which law firm does Mr. Taffora work  
 5 for?  
 6 A My understanding is that he works at  
 7 Michael Best & Friedrich.  
 8 Q Okay. And then you mentioned Mr. Troupis,  
 9 correct?  
 10 A Yes.  
 11 Q And Mr. Troupis formerly was at Michael Best &  
 12 Friedrich, correct?  
 13 A Yes.  
 14 Q And he now has his own law firm, correct?  
 15 A That's my understanding.  
 16 Q Okay. You mentioned Sarah Troupis as well. Is  
 17 Sarah Troupis a lawyer?  
 18 A My understanding is she is an attorney, yes.  
 19 Q Do you know where she -- whether she works for a  
 20 law firm?  
 21 A I don't know for certain.  
 22 Q And you mentioned Robin Vos, correct?  
 23 A Yes.  
 24 Q Does Robin Vos hold a law degree; do you know?  
 25 A Not to my knowledge.

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